IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14195 of 2004

Between:

L.Mallesham S/o. L.Chandrappa
R/o. H.No.1-6-169, Raghavendra Colony, Near Chandra 70 MM Threatre Tandur, R.R.District.

..... PETITIONER

AND

Depot Manager A.P.S.R.T.C
Tandur Depot Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in payment of basic pay of Rs.8425/P.M. without any punishment and accident during the petitioner's service till date where as his junior Sri Akthar Ali E.83196 driver along with others drawing salaries with the basic pay of Rs.8785/P.M. Further not considering petitioners representations for rectifying the error done while fixing the basic pay in pay scale 1991 and 1995 and not fixing his basic pay for which the petitioner is entitled keeping view of the retirement date in the year 2006, is as illegal and in violation of principles of natural justice granting all consequential benefits and issuing directions to the respondent for fixation of basic pay and payment of arrears and to pass.

Counsel for the Petitioner: MR.MOHD.GHOUSEUDDIN

Counsel for the Respondent No.: MR.K.HARINATH

The Court made the following ORDER:

Petitioner is working as a driver. He claims that he has been working in the respondent-corporation from 1978. His pay was fixed at Rs.8,425/- per month, where as the pay of the drivers, who were appointed in 1979 are being paid at the rate of Rs.8,785/- per month. He contended that it is a mistake committed by the respondent in fixing his pay and as there is anomaly in fixing the pay, he made representations to the respondent on 20.01.2003 and 22.02.2003, but no orders have been passed by the respondent till now. He therefore, approached this Court seeking a direction to the respondent to pass appropriate orders regarding the anomaly of his pay.

The respondent is therefore directed to consider the representations of the petitioner dated 20.01.2003 and 22.02.2003 and verify whether any anomaly occurred in fixing of his pay and give opportunity to him to represent his case and pass appropriate orders by taking into consideration the scale of pay fixed to the persons juniors to the petitioner within three months from the date of receipt of this orders.

Writ petition is according disposed of with the above directions. No order as to costs.

G.YETHIRAJULU,J

12.08.2004

Klp/va

To

1. Depot Manager A.P.S.R.T.C
   Tandur Depot Ranga Reddy District.

2 Two CD Copies